

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

DAMIAN HUSAK,

Plaintiff,

v.

STATE FARM FIRE AND CASULTY  
COMPANY,

Defendant.

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NO. 3:20-cv-00857  
JUDGE RICHARDSON

**ORDER**

Pending before the Court is a Report and Recommendation of the Magistrate Judge (Doc. No. 47), recommending that Plaintiff's action be dismissed without prejudice for failure to prosecute under Fed. R. Civ. P. Rule 41(b), and that Defendant's Motion to Dismiss (Doc. No. 43, "Motion") be denied as moot. No Objections to the Report and Recommendation have been filed.

The failure to object to a report and recommendation releases the Court from its duty to independently review the matter. *Frias v. Frias*, No. 2:18-cv-00076, 2019 WL 549506, at \*2 (M.D. Tenn. Feb. 12, 2019); *Hart v. Bee Property Mgmt.*, No. 18-cv-11851, 2019 WL 1242372, at \* 1 (E.D. Mich. March 18, 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The district court is not required to review, under a de novo or any other standard, those aspects of the report and recommendation to which no objection is made. *Ashraf v. Adventist Health System/Sunbelt, Inc.*, 322 F. Supp. 3d 879, 881 (W.D. Tenn. 2018); *Benson v. Walden Security*, No. 3:18-cv-0010, 2018 WL 6322332, at \*3 (M.D. Tenn. Dec. 4, 2018). The district court should adopt the magistrate judge's findings and rulings to which no specific objection is filed. *Id.*

Nonetheless, the Court has reviewed the Report and Recommendation and the file. The Report and Recommendation is adopted and approved. Accordingly, Defendant's Motion is

**DENIED as moot**, and this action is **DISMISSED without prejudice** for failure to prosecute.

This Order shall constitute final judgment for purposes of Fed. R. Civ. P. 58, and the Clerk is directed to close the file.

IT IS SO ORDERED.

Eli Richardson

ELI RICHARDSON  
UNITED STATES DISTRICT JUDGE